



General Assembly

February Session, 2000

Raised Bill No. 441

LCO No. 1876

Referred to Committee on Environment

Introduced by:
(ENV)

An Act Concerning Open Burning.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Subsection (f) of section 22a 174 of the general statutes, as amended
2 by section 2 of public act 99-225, is repealed and the following is
3 substituted in lieu thereof:

4 (f) The commissioner shall allow the open burning of brush in the
5 state provided a permit for such burning is obtained from the fire
6 marshal or the fire marshal's designee of the municipality where the
7 brush is proposed to be burned and further provided such burning is
8 restricted to residential property where the open burn permittee
9 resides, or at a municipal landfill, municipal transfer station or
10 municipal recycling center, except that no open burning of brush shall
11 occur (1) when national or state ambient air quality standards may be
12 exceeded; (2) where a hazardous health condition might be created; (3)
13 when the forest fire danger in the area is identified by the
14 commissioner as extreme and where woodland or grass land is within
15 one hundred feet of the proposed burn; (4) where there is an advisory
16 from the commissioner of any air pollution episode; (5) where
17 prohibited by an ordinance of the municipality; and (6) in the case of a

18 municipal landfill, when such landfill is within an area designated as a
19 hot spot on the open burning map prepared by the commissioner. A
20 permit for the burning of brush at any municipal landfill, municipal
21 transfer station or municipal recycling center shall be issued no more
22 than six times in any calendar year. The proposed permit to burn
23 brush at any municipal landfill, municipal transfer station or
24 municipal recycling center shall be submitted to the commissioner by
25 the fire marshal or designee, with the approval of the chief elected
26 official of the municipality in which the municipal landfill, municipal
27 transfer station or municipal recycling center is located. The
28 commissioner shall approve or disapprove the fire marshal's or
29 designee's proposed permitting of burning of brush at a municipal
30 landfill, municipal transfer station or municipal recycling center within
31 a reasonable time of the filing of such application. The burning of
32 leaves, demolition waste or other solid waste deposited in such landfill
33 shall be prohibited. The commissioner shall require the payment of an
34 application fee and inspection fee in accordance with regulations
35 adopted by the commissioner in accordance with chapter 54. Nothing
36 in this subsection or in any regulation adopted pursuant to this
37 subsection shall affect the power of any municipality to regulate or ban
38 the open burning of brush within its boundaries for any purpose.
39 Notwithstanding any other provision of this section, fire blocks for the
40 purpose of controlling forest fires, fires for the purpose of fire-training
41 exercises and controlled fires in salt water marshes to forestall
42 uncontrolled fires may be authorized with the written approval of the
43 commissioner.

Statement of Purpose:

To authorize fire marshals' designees to issue permits for open burning on residential property.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]